

**UNITED STATES DISTRICT COURT  
FOR THE  
DISTRICT OF NEW HAMPSHIRE**

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**SHERRILL L. WHITE, pro se**  
**Plaintiff**

**-v-**

**CIVIL ACTION  
NO. 08cv206 JL**

**MARK SISTI, ESQ.**  
**DISMISSAL**

**Defendant**

**MOTION FOR  
WITHOUT PREJUDICE**

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**MOTION FOR DISMISSAL**  
**WITHOUT PREJUDICE**

**NOW COMES BEFORE**, this Honorable Court the Plaintiff, Sherrill L. White,  
pro se and In Forma Pauperis, currently with a mailing address of P.O. Box 258,  
Linwood, Ma. 01525

**NOW FURTHER COMES BEFORE**, this Honorable Court the Plaintiff Sherrill  
L. White. pro se, praying this Honorable Court grant the relief sought in this motion.

**BASIS**

At a Mediation hearing held before the Honorable Judge Joseph Laplante on the 9<sup>th</sup>  
day of June, 2009 at the Federal Courthouse, located at 55 Pleasant Street, Concord, New  
Hampshire, 03301. I was granted a ten (10) day leave to make a decision on whether to  
accept dismissal of the case "with or without prejudice".

On the 16<sup>th</sup> day of June, 2009 I called Christopher Hawkins, Esq. attorney for the Defendant, Mark Sisti Esq., during this call I presented to Attorney Hawkins an offer.

This offer consisted of:

1. The return of my Two Thousand dollars (\$2000.00) I had paid Attorney Sisti, and
2. The delinquency report placed on my credit report by Attorney Sisti removed.

I informed Attorney Hawkins that I would at that point agree to, "dismissal with prejudice" and would be done with this case.

Attorney Hawkins informed me that Attorney Sisti would agree to nothing in the way of money, and if I went with the dismissal without prejudice he would sue me. I informed Attorney Hawkins that if that was the final answer I was going to take the dismissal the Judge offered me and that it would be "without prejudice", that I was going to move in Vermont to see if I could get the conviction overturned. I informed Attorney Hawkins that if I prevailed there I would reinstitute the action against Attorney Sisti.

**WHEREFORE**, I pray this Court grant the action sought in this motion, that being the "dismissal without prejudice" and such further relief as this Court deem fair and just.

Respectfully submitted,

Executed on June 18, 2009

Sherrill L. White, pro se  
P.O. Box 258  
Linwood, Ma.  
01525

**CERTIFICATE OF SERVICE**

I certify that I have served on the following, true copies of the attached papers by,  
Pre-paid, First Class, U.S. Mail at; Attorney Christopher Hawkins, 99 Middle Street,  
Manchester, N.H., 03101.

Sherrill L. White, pro se